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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

CORRIELUS, JEAN M

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 04/23/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/826,121

Applicant(s)

LEE ET AL.

Examiner

Jean M Corrielus

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_                      6) ☐ Other:

Art Unit: 2172:

## **DETAILED ACTION**

1. This office action is in response to the application filed on April 4, 2001, in which claims 1-42 are presented for examination.

### ***Drawings***

2. Applicants are required to furnish the formal drawings in response this office action. No new matter may be introduced in the required drawing. Failure to timely submit a drawing will result in ABANDONMENT of the application

### ***Claim Rejections - 35 U.S.C. § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made

Art Unit: 2172:

in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siegel et al (hereinafter "Siegel") US Patent Application Publication no. 200/0077923 in view of Perkowski US Patent Application Publication no. 2002/0194081.

As to claim 1, Siegel discloses the claimed "generating a customer database including customer records, wherein each customer record tracks a customer" [0031]; "generating a product database including product records, wherein each product record tracks a customer" [0034]; "updating the customer database from information received from the customer to add or modify a specific product purchase information about the customer" ([0033]-[0035]). Siegel does not explicitly disclose the use of "updating the product database from information received from the product to add or modify a specific product and inventory information about the product"; and "providing product and customer record information in the database to a requesting client representative".

However, Siegel discloses the use of properly tracking consumer's interest and purchases, wherein based on the information provided by the consumer on the registration form, central processor searches product database and determines if the any upgrades or product enhancements are available, if so sent a notification to the consumer to determine whether the consumer is interested in them; if indeed the consumer is interested in the upgrade or product enhancement ([0033]-[0035]).

On the other hand, Perkowski discloses the use of "updating the product database from information received from the product to add or modify a specific product and inventory information about the

Art Unit: 2172:

product” ([0045]; [0985]); and “providing product and customer record information in the database to a requesting client representative ([0985]). Therefore, it would have been obvious to one of ordinary skill in the art of data processing, at the time the present invention was made to combine the teachings of the cited references. One of ordinary skill in the art at the time of the invention would have been motivated to do such a combination because that would provide Siegel’s system the enhanced capability of collecting, managing and delivering product related information to the customers along with the product information, thereby maintaining a supply of products in inventory database sufficient to meet the demand for such products.

As to claim 2, Siegel and Perkowski disclose substantially the invention as claimed. In addition, Perkowski discloses the claimed “wherein the requesting client representative enters data to update the customer database” ([0985]). Therefore, it would have been obvious to one of ordinary skill in the art of data processing, at the time the present invention was made to combine the teachings of the cited references. One of ordinary skill in the art at the time of the invention would have been motivated to do such a combination because that would provide Siegel’s system the enhanced capability of collecting, managing and delivering product related information to the customers along with the product information, thereby maintaining a supply of products in inventory database sufficient to meet the demand for such products.

Art Unit: 2172:

As to claim 3, Siegel and Perkowski disclose substantially the invention as claimed. In addition, Perkowski discloses the claimed “transmitting over the network an input page in which the client representative enters data to update the customer database” ([0985]). Therefore, it would have been obvious to one of ordinary skill in the art of data processing, at the time the present invention was made to combine the teachings of the cited references. One of ordinary skill in the art at the time of the invention would have been motivated to do such a combination because that would provide Siegel’s system the enhanced capability of collecting, managing and delivering product related information to the customers along with the product information, thereby maintaining a supply of products in inventory database sufficient to meet the demand for such products.

As to claim 4, Siegel and Perkowski disclose substantially the invention as claimed. In addition, Perkowski discloses the claimed “transmitting over the network an input page in which the client representative enters search information to request customer record formation from the customer database”([0338]-[0341];[0712]-[0714]); “receiving the input page transmitted by the client representative including a request for customer record information”([0338]-[0341];[0712]-[0714]); “generating an information page including customer record information for the customer record specified in the received input page” ( [0306]); and “transmitting the information page to the requesting client representative over the network” ([0304]-[0312])). Therefore, it would have been obvious to one of ordinary skill in the art of data processing, at the time the present invention was made to combine the teachings of the cited references. One of ordinary skill in the art at the time of

Art Unit: 2172:

the invention would have been motivated to do such a combination because that would provide Siegel's system the enhanced capability of collecting, managing and delivering product related information to the customers along with the product information, thereby maintaining a supply of products in inventory database sufficient to meet the demand for such products.

As to claim 5, Seigel discloses the claimed "transmitting over the network an input page in which the client representative enters data to update the product database" ([0006]).

As to claim 6, Siegel and Perkowski disclose substantially the invention as claimed. In addition, Perkowski discloses the claimed "transmitting over the network an input page in which the client representative enters search information to request product record formation from the product database"([0338]-[0341];[0712]-[0714]); "receiving the input page transmitted by the client representative including a request for product record information"([0338]-[0341];[0712]-[0714]); "generating an information page including product record information for the product record specified in the received input page" [0306]; and "transmitting the information page to the requesting client representative over the network" [0304]-[0312]).

As to claim 7, Siegel discloses the claimed "tracking information about each contact with the customer" tracking consumer's interest and purchases, wherein based on the information provided by the consumer on the registration form, central processor searches product database and determines

Art Unit: 2172:

if the any upgrades or product enhancements are available, if so sent a notification to the consumer to determine whether the consumer is interested in them; if indeed the consumer is interested in the upgrade or product enhancement ([0033]-[0035]); “providing problem and solution codes to be selected by the client representative” ([0033]-[0035]); and “recording and additions or modifications in either the customer or product record’ ([0033]-[0035]).

As to claim 8, Siegel and Perkowski disclose substantially the invention as claimed. In addition, Perkowski discloses the claimed “wherein the contact with the customers is by e-mail” [0262]. Therefore, it would have been obvious to one of ordinary skill in the art of data processing, at the time the present invention was made to combine the teachings of the cited references. One of ordinary skill in the art at the time of the invention would have been motivated to do such a combination because that would provide Siegel’s system the enhanced capability of collecting, managing and delivering product related information to the customers along with the product information, thereby maintaining a supply of products in inventory database sufficient to meet the demand for such products.

As to claim 9, Siegel and Perkowski disclose substantially the invention as claimed. In addition, Perkowski discloses the claimed “interlinking with a front end GUI to display the product image and information over the Internet” [0278]. Therefore, it would have been obvious to one of ordinary skill in the art of data processing, at the time the present invention was made to combine the teachings of



Art Unit: 2172:

the cited references. One of ordinary skill in the art at the time of the invention would have been motivated to do such a combination because that would provide Siegel's system the enhanced capability of collecting, managing and delivering product related information to the customers along with the product information, thereby maintaining a supply of products in inventory database sufficient to meet the demand for such products.

As to claim 10, Siegel and Perkowski disclose substantially the invention as claimed. In addition, Perkowski discloses the recited feature "sending a notification when the number of products reaches a preset number stored in the product record"([0816]; [0820]); "recording order information for the order of additional products from a supplier" ([00817]-[0824]). Therefore, it would have been obvious to one of ordinary skill in the art of data processing, at the time the present invention was made to combine the teachings of the cited references. One of ordinary skill in the art at the time of the invention would have been motivated to do such a combination because that would provide Siegel's system the enhanced capability of collecting, managing and delivering product related information to the customers along with the product information, thereby maintaining a supply of products in inventory database sufficient to meet the demand for such products.

As to claim 11, Siegel and Perkowski disclose substantially the invention as claimed. In addition, Perkowski discloses the claimed "producing a printable sheet with a bar code identifying a returned product" ([0807]-[0808]). Therefore, it would have been obvious to one of ordinary skill in the art

Art Unit: 2172:

of data processing, at the time the present invention was made to combine the teachings of the cited references. One of ordinary skill in the art at the time of the invention would have been motivated to do such a combination because that would provide Siegel's system the enhanced capability of collecting, managing and delivering product related information to the customers along with the product information, thereby maintaining a supply of products in inventory database sufficient to meet the demand for such products.

As to claim 12, Siegel and Perkowski disclose substantially the invention as claimed. In addition, Perkowski discloses the claimed "producing a printable sheet with information on the purchase of the product"([0807]-[0808]). Therefore, it would have been obvious to one of ordinary skill in the art of data processing, at the time the present invention was made to combine the teachings of the cited references. One of ordinary skill in the art at the time of the invention would have been motivated to do such a combination because that would provide Siegel's system the enhanced capability of collecting, managing and delivering product related information to the customers along with the product information, thereby maintaining a supply of products in inventory database sufficient to meet the demand for such products.

As to claim 13, Siegel and Perkowski disclose substantially the invention as claimed. In addition, Perkowski discloses the claimed "producing a report based on information from the customer and product records"([0807]-[0808]). Therefore, it would have been obvious to one of ordinary skill in

Art Unit: 2172:

the art of data processing, at the time the present invention was made to combine the teachings of the cited references. One of ordinary skill in the art at the time of the invention would have been motivated to do such a combination because that would provide Siegel's system the enhanced capability of collecting, managing and delivering product related information to the customers along with the product information, thereby maintaining a supply of products in inventory database sufficient to meet the demand for such products.

As to claim 14, Siegel and Perkowski disclose substantially the invention as claimed. In addition, Perkowski discloses the claimed "interlinking a third party shipping software with the product database" ([0790]-[0802].); "updating the product database from information receiving from the third party shipping software to add or modify a specific product record indicating shipping information about the product" ([0826]). Therefore, it would have been obvious to one of ordinary skill in the art of data processing, at the time the present invention was made to combine the teachings of the cited references. One of ordinary skill in the art at the time of the invention would have been motivated to do such a combination because that would provide Siegel's system the enhanced capability of collecting, managing and delivering product related information to the customers along with the product information, thereby maintaining a supply of products in inventory database sufficient to meet the demand for such products.

Art Unit: 2172:

Claims 15-28 are for system performing the method claims 1-14. They are, therefore, rejected under the same rationale.

Claims 29-42 are computer program product containing instructions performed by the method claims 1-14. They are, therefore, rejected under the same rationale.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (See PTO 892).

Any inquiry concerning this communication or early communication from the Examiner should be directed to **Jean M. Corrielus** whose telephone number is (703) 306-3035. The Examiner can normally be reached on Tuesday-Friday from 7:00am to 5:30pm.

If attempts to reach the Examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu, can be reached on Monday-Friday from 9:00 a.m.-6:00 p.m. at (703)305-4393.

**Any response to this action should be mailed to:** Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:** (703) 308-9051, (for formal communications intended for entry)

**Or:** (703)305-9731 (for informal or draft communications, please label "PROPOSED" or "DRAFT") Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Serial Number: 09/826,121:

Page 12

Art Unit: 2172:

Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 305-9600.

A handwritten signature in black ink, appearing to be 'JC' followed by a stylized flourish.

Jean M. Corrielus

Patent Examiner

April 15, 2003